

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

LUIS A. ACEVEDO GARCIA, ET ALS.

Plaintiffs

vs.

**HON. ROBERTO VERA-MONROIG,
ET ALS.**

Defendants

Civil No.: 97-2639(JP)

MOTION

TO THE HONORABLE COURT:

COMES NOW plaintiffs, through the undersigned attorney, who very respectfully states and prays as follows:

Today we had a telephone conversation with brother counsel Harry R. Segarra-Arroyo. To our surprise he informed us that the Mayor of Adjuntas, Honorable Jaime Barlucea told him that he did not have funds to settle and that he was instructed by the Mayor that the remaining 62 plaintiffs claims have to go to trial.

As to defendant's motion dated May 26, 2005 in which defendant informed this Honorable Court that it appeared, that several of the plaintiffs identified in a motion filed July 16, 2001 as to the 2nd group of 20 plaintiffs, that these plaintiffs had been compensated, this is not true and as of today none of the remaining 62 plaintiffs have been compensated.

This court's order dated, April 12, 2005 (docket 407) states as follows:

"Defendants' attorneys SHALL meet at a mutually convenient date as the offices of attorney Villares on or before April 27 to discuss the possibilities for

obtaining funds to settle this case. During said meeting, they SHALL discuss the possibility of the Legislature making a one-time allocation of the funds to the Municipality, as well as joint or separate Government Development Bank - Municipality - P.R. Treasury Department funding options. Defendants SHALL file a motion with the Court informing their progress regarding this issue of before May 17, 2005.”

Defendants did not comply with this Order and to the contrary they only filed a motion dated May 20, 2005 which states as follows:

1. The meeting with Luis V. Villares-Sarmiento, Esq. Was had on Thursday 12 May 2005 at his office in San Juan.
2. Dr. Evelyn Quiñones Carrasquillo, Esq. Was also present.
3. The undersigned met with the Honorable Mayor of Adjuntas on Thursday May 19, 2005.

We were under the impression that defendants were seriously considering the settlement of the remaining claims, in view of the results of the award obtained by the first 20 plaintiffs and the fact that one of the reasons why these claims were severed was in order for the parties to have a basis of what could be the outcome of the claim of the remaining 62 plaintiff and procure a settlement.

It is clear to us that defendants has no intention to settle this case, neither to have a serious discussion of a possible settlement. Far from it, by giving the impression that a settlement could be reached they have been successful in stalling the end of this case. We respectfully request that the claims of the remaining 62 plaintiffs be scheduled for trial.

WHEREFORE, It is respectfully requested that this motion **BE GRANTED.**

I hereby certify that on this date, I electronically filed the foregoing with the Clerk

of the Court using the CM/ECF system which will send notification of such filing to the following: Attorneys; Luis V. Villares Sarmiento, Esq., Sanchez Betances & Sifre, P.O. Box 195055, San Juan, Puerto Rico 00919-5055, lvillares@sbslaw.com, and Harry R. Segarra, Esq., Santa Maria Mall, 471 Ferrocarril Ave.-Suite207, Ponce, PR 00731, eqclaw@centennialpr.net.

RESPECTFULLY SUBMITTED.

In Aguadilla, Puerto Rico, this 9th day of June, 2005.

s/ Israel Roldán González

ISRAEL ROLDAN GONZALEZ

USDC-P.R. 115602

Attorney for Plaintiff

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